

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

| | | |
|--|---|--------------------|
| ----- | X | |
| | : | |
| JESSICA WEYANT, individually and on behalf | : | |
| of others similarly situated, | : | |
| | : | 17 Civ. 8230 (LGS) |
| Plaintiff, | : | |
| | : | |
| -against- | : | <u>ORDER</u> |
| | : | |
| THE PHIA GROUP LLC and INDECS | : | |
| CORPORATION, | : | |
| | : | |
| Defendants. | : | |
| ----- | X | |

LORNA G. SCHOFIELD, District Judge:

WHEREAS, on September 26, 2019, the Court issued an Opinion denying Plaintiff's motion for summary judgment and granting Defendants' motion for summary judgment on the ground of administrative exhaustion.

WHEREAS, on August 27, 2020, the Second Circuit issued an Opinion vacating the judgment of this Court and remanding this case for further proceedings.


WHEREAS, on September 17, 2020, the mandate of the Second Circuit issued.

WHEREAS, on September 25, 2020, the parties submitted letters suggesting next steps.

It is hereby

ORDERED that the parties are notified that, after considering the parties' letters and in the interests of efficiency, the Court will proceed by considering the remaining arguments in the parties' cross-motions for summary judgment.

Dated: September 28, 2020
New York, New York



LORNA G. SCHOFIELD
UNITED STATES DISTRICT JUDGE